

Exhibit 6

LINDA WALLESHAUSER

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SIERRA BOUCHER, LILY ENGBRECHT,
NATASSIA TUHOVAK, HANNAH WHELAN, and
CASSIDY WOOD,

Plaintiffs,

- against - Case No.
1:22-cv-00381-CCR

TRUSTEES OF CANISIUS COLLEGE,

Defendant.

Examination before trial of **LINDA**
WALLESHAUSER, taken pursuant to the Federal Rules
of Civil Procedure, in the offices of JACK W.
HUNT & ASSOCIATES, INC., 1120 Liberty Building,
Buffalo, New York, on September 27, 2024,
commencing at 1:52 p.m., before LORI K. BECK, CSR,
CM, Notary Public.

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1 APPEARANCES: LAW OFFICE OF DANIELA NANAU, P.C.,
2 By DANIELA NANAU, ESQ.,
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4 Glendale, New York 11385-7935,
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Appearing for the Plaintiffs.

5 HODGSON RUSS LLP,
6 By THOMAS S. D'ANTONIO, ESQ.,
7 1800 Bausch & Lomb Place,
8 Rochester, New York 14604,
(585) 454-0700,
tdantonio@hodgsonruss.com,
Appearing for the Defendant.

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14:54:39 1 to memorialize all complaints that they received
14:54:45 2 regarding sexual misconduct at Canisius?

14:54:49 3 **A.** I don't recall.

14:54:50 4 **Q.** Okay. Did you have any other
14:54:57 5 conversations in the spring of 2019 with
14:55:02 6 Dr. Mangione regarding Dr. Noonan other than what's
14:55:06 7 in Plaintiffs' 82?

14:55:08 8 **A.** No.

14:55:08 9 **Q.** Okay. So I'm going to go back to the
14:55:18 10 timeline in Plaintiffs' 79, because I think that is
14:55:22 11 a useful way to understand what you did during the
14:55:28 12 course of your investigation. Would you agree?

14:55:30 13 **A.** Yes.

14:55:30 14 **Q.** Okay, good. By the way, this
14:55:36 15 investigation summary is -- is dated March 2019.
14:55:40 16 Is that when your investigation was concluded?

14:55:43 17 **A.** Yes.

14:55:43 18 **Q.** Okay. So at that time, at the
14:55:46 19 conclusion of the investigation, is that when you
14:55:49 20 prepared this document?

14:55:51 21 **A.** Yes.

14:55:51 22 **Q.** Okay.

14:55:53 23 **A.** In its entirety.

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14:58:22 1 **A.** Yes.

14:58:23 2 **Q.** One with an individual student and one
14:58:25 3 with a group of students?

14:58:27 4 **MR. D'ANTONIO:** Objection to form. Not with
14:58:27 5 an individual student.

14:58:33 6 **MS. NANAU:** I'm sorry. I'm going to -- I
14:58:34 7 understand what your objection is.

14:58:36 8 **BY MS. NANAU:**

14:58:36 9 **Q.** So on -- on February 11th, 2019, you
14:58:40 10 had a meeting with Dr. Hogan where she conveyed to
14:58:44 11 you concerns on behalf of the student; is that
14:58:46 12 right?

14:58:46 13 **A.** Yes.

14:58:47 14 **Q.** Got it. And on February 11th, 2019,
14:58:51 15 you also met with a group of students --

14:58:53 16 **A.** Yes.

14:58:54 17 **Q.** -- correct? Okay.

14:58:56 18 With regard to your meeting with Dr. Hogan,
14:59:00 19 do you recall what she shared with you?

14:59:05 20 **A.** She shared with me concerns regarding
14:59:11 21 the students on the trip to India in more detail
14:59:17 22 and elaborated more on the initial concerns that
14:59:20 23 were shared on January 28th.

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14:59:25 1 Q. Okay. Does anything stand out in your
14:59:29 2 mind regarding this meeting with Dr. Hogan in terms
14:59:33 3 of what she -- what she described to you in an
14:59:37 4 expanded form?

14:59:39 5 A. Behaviors of Dr. Noonan on the trip to
14:59:46 6 India.

14:59:47 7 Q. Okay. And then you also met with a
14:59:50 8 group of students, including -- which included
14:59:54 9 Project Tiger students who went with him to India,
14:59:56 10 correct?

14:59:57 11 A. Yes.

14:59:57 12 Q. And that meeting also included other
15:00:00 13 students who raised concerns about his
15:00:02 14 inappropriate conduct?

15:00:03 15 A. Yes.

15:00:03 16 Q. Okay. And is it true that during the
15:00:07 17 February 11th, 2019 meeting, you advised the
15:00:13 18 students that you wanted to have one-on-one
15:00:15 19 meetings with them?

15:00:16 20 A. Yes.

15:00:16 21 Q. Okay. And did you, in fact, have
15:00:18 22 one-on-one meetings with all of the students who
15:00:20 23 came forward in January and February of 2019?

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15:00:23 1 **A.** Yes.

15:00:24 2 **Q.** Okay. How long do you think the
15:00:29 3 student meeting was on February 11th, 2019?

15:00:36 4 **A.** From what I can recall, we had an hour
15:00:40 5 slotted for that meeting.

15:00:42 6 **Q.** Okay. And it's true that you conducted
15:00:46 7 the one-on-one meetings with all of the students
15:00:49 8 who came forward on February 11th, February 12th,
15:00:55 9 and February 13th, correct?

15:00:56 10 **A.** That's correct, yes.

15:00:57 11 **Q.** That's the next point, correct?

15:00:59 12 **A.** Yes. Yes.

15:00:59 13 **Q.** Okay.

15:01:02 14 **MR. D'ANTONIO:** We've been going a while.
15:01:03 15 Want to take a couple minutes?

15:01:05 16 **MS. NANAU:** Sure. Sure.

15:01:06 17 (A recess was then taken at 3:01 p.m.)

15:05:58 18 (On the record: 3:05 p.m.)

15:05:59 19 **BY MS. NANAU:**

15:06:01 20 **Q.** So going back to your timeline,
15:06:07 21 Ms. Walleshauser, was there a set of questions that
15:06:16 22 you prepared for the individual student meetings
15:06:18 23 that occurred on February 11th to February 13th?

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15:06:22 1 **A.** I asked each student to provide me with
15:06:25 2 a written statement to review in advance of those
15:06:31 3 meetings, and depending upon the individual
15:06:36 4 statement, I prepared separate questions for
15:06:39 5 clarification during each of those meetings.

15:06:45 6 **Q.** Okay. Is it true that when you --
15:06:51 7 when -- during the student meetings on
15:06:54 8 February 11th to February 13th, when a student
15:06:57 9 would provide you with specific detail regarding
15:07:01 10 instances of Dr. Noonan's misconduct, that you
15:07:05 11 asked the students whether or not they objected in
15:07:08 12 the moment to his misconduct?

15:07:10 13 **A.** It depended on the statements and --
15:07:15 14 and the individual student. It depended on the
15:07:23 15 circumstance and who I -- what student I was
15:07:26 16 speaking to.

15:07:26 17 **Q.** Okay. So that wasn't a question that
15:07:28 18 you posed to all of the students?

15:07:29 19 **A.** I don't recall.

15:07:31 20 **Q.** Okay. With regard to your timeline --
15:07:37 21 well, actually, strike that.

15:07:38 22 Did all of the students provide you with
15:07:44 23 written statements in advance of your meetings?

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15:07:49 1 **A.** Yes, with the exception of Natassia
15:07:55 2 Tuhovak.

15:07:55 3 **Q.** Do you know why Ms. Tuhovak didn't
15:07:57 4 provide a written summary before the meeting?

15:08:00 5 **A.** I do not. I asked for it, and I asked
15:08:03 6 a second time after we met, and she didn't respond
15:08:08 7 to me.

15:08:08 8 **Q.** Okay. You also mention in a bullet
15:08:15 9 point under the individual student meetings two
15:08:20 10 student bias reports received 2/7/19 and 2/12/19.

15:08:28 11 Did I read that correctly?

15:08:28 12 **A.** Yes.

15:08:28 13 **Q.** What is a student bias report?

15:08:31 14 **A.** A bias report is a tool that's provided
15:08:34 15 to the students to express concerns in an anonymous
15:08:36 16 fashion.

15:08:37 17 **Q.** And how -- how would the students do
15:08:41 18 that? Like what are the mechanics of submitting a
15:08:43 19 bias report to Canisius in 2019?

15:08:49 20 **A.** There was a link that was provided to
15:08:52 21 them in the student portal and also on the web --
15:08:55 22 the college's webpage.

15:08:59 23 **Q.** The website for Canisius that is public

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15:35:22 1 February 21st.

15:35:23 2 **MS. NANAU:** Yes.

15:35:24 3 **MR. D'ANTONIO:** I'm sorry.

15:35:25 4 **MS. NANAU:** Yes, that's what I said.

15:35:26 5 **THE WITNESS:** No, meetings with Dr. Noonan
15:35:27 6 were all on the Canisius campus.

15:35:31 7 **BY MS. NANAU:**

15:35:31 8 **Q.** Okay. So even after --

15:35:31 9 **A.** Yes.

15:35:34 10 **Q.** -- February 21st.

15:35:35 11 **A.** Yes.

15:35:37 12 **Q.** Did they all take place in the same
15:35:39 13 place?

15:35:40 14 **A.** Yes.

15:35:41 15 **Q.** And where was that?

15:35:42 16 **A.** The president's boardroom at Canisius.

15:35:46 17 **Q.** Is that like a conference room?

15:35:48 18 **A.** Yes.

15:35:50 19 **Q.** Okay. Then the next entry on your
15:35:55 20 investigation timeline is Monday, February 25th,
15:36:01 21 2019: Faculty statement provided, Dr. Christy
15:36:05 22 Hoffman, additional email statement provided on
15:36:09 23 2/27/19.

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15:36:11 1 Did I read that correctly?

15:36:13 2 **A.** Yes.

15:36:13 3 **Q.** And then you have entries on Tuesday,
15:36:17 4 2/26/19 reflecting a faculty statement provided by
15:36:22 5 Dr. Suchak and Thursday, 2/28/19, a faculty
15:36:30 6 statement provided by Dr. Russell, correct?

15:36:33 7 **A.** Correct.

15:36:35 8 **Q.** And you provided information regarding
15:36:41 9 these faculty statements to Dr. McCarthy as well,
15:36:44 10 correct?

15:36:44 11 **A.** Correct.

15:36:46 12 **Q.** Did you rely on Dr. McCarthy to convey
15:36:49 13 the information in your reports to President
15:36:52 14 Hurley?

15:36:56 15 **A.** I provided President Hurley the
15:36:59 16 investigation summary, the full investigation
15:37:03 17 summary.

15:37:05 18 **Q.** Okay. And the full investigation
15:37:07 19 summary, is that comprised of documents that we've
15:37:13 20 already reviewed?

15:37:14 21 **A.** Yes.

15:37:15 22 **Q.** And what are the documents that we've
15:37:17 23 reviewed that was your investigation summary?

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15:38:48 1 **MS. NANAU:** Why don't we -- okay. So let's
15:38:57 2 do this 84.

3 **The following was marked for Identification:**

4 **PLF. EXH. 84** **Dr. Michael Noonan Follow Up**
5 **Investigation, Bates numbers**
6 **CANISIUS 000447 through**
7 **CANISIUS 000449**

15:39:16 8

15:39:16 9 **MS. NANAU:** And let's do this as 85.

10 **The following was marked for Identification:**

11 **PLF. EXH. 85** **Summary of Additional**
12 **Allegations, Bates numbers**
13 **CANISIUS 02082 through**
14 **CANISIUS 02093**

15:39:48 15

15:39:48 16 (Off the record: 3:39 p.m.)

15:40:20 17 (On the record: 3:40 p.m.)

15:40:21 18 **THE WITNESS:** Okay.

15:40:22 19 **BY MS. NANAU:**

15:40:23 20 **Q.** So Ms. Walleshauser, I show you what's
15:40:25 21 been marked as Plaintiffs' 84. It's a document
15:40:29 22 with the Bates-stamp range 447 to 449.

15:40:34 23 These are notes of a follow-up meeting with

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15:40:38 1 Dr. Noonan on March 13th, 2019, correct?

15:40:42 2 **A.** Yes. These are notes that he provided
15:40:48 3 to us after this additional meeting on March 13th.

15:40:53 4 **Q.** I see.

15:40:54 5 **A.** So we met with him to review the
15:40:56 6 additional allegations. That's what this summary
15:41:00 7 is.

15:41:00 8 And then --

15:41:01 9 **MR. D'ANTONIO:** Exhibit 85?

15:41:02 10 **THE WITNESS:** Yes, 85, and then the -- page
15:41:11 11 02 -- what is it?

15:41:13 12 **MR. D'ANTONIO:** CANISIUS 2085.

15:41:16 13 **THE WITNESS:** 2085 is duplicative of
15:41:21 14 document 84.

15:41:21 15 **BY MS. NANAU:**

15:41:21 16 **Q.** Got it.

15:41:27 17 **A.** So this is just comprehensive of what
15:41:30 18 occurred, the allegations we reviewed with him, and
15:41:32 19 then his response is also included here, which is
15:41:36 20 what you have separately here in the document 84.

15:41:39 21 **Q.** Okay. Plaintiffs' 85 is a multi-page
15:41:44 22 document with the Bates range 2082 to 2093.

15:41:49 23 And so my understanding of your testimony is

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15:41:53 1 Plaintiffs' 85 is a summary of a subsequent -- a
15:42:00 2 meeting after February 21st, 2019, with Dr. Noonan
15:42:04 3 to discuss complaints raised about his misconduct
15:42:08 4 by faculty, correct?

15:42:10 5 **A.** Yes.

15:42:11 6 **Q.** And you -- in the same way that you
15:42:16 7 provided him with notice of the allegations raised
15:42:19 8 by the students in January and February of 2019,
15:42:23 9 here you provided him with notice of allegations
15:42:26 10 regarding his alleged -- alleged misconduct by
15:42:30 11 faculty, and you memorialized his response,
15:42:32 12 correct?

15:42:33 13 **A.** Correct.

15:42:33 14 **Q.** Okay. And I'm now look -- oh, okay.
15:42:43 15 So I wanted to ask you:

15:42:45 16 Are Plaintiffs' 74 and Plaintiffs' 85 what
15:42:48 17 you provided to President Hurley as your
15:42:51 18 investigation summary?

15:42:53 19 **A.** 74 is the initial --

15:42:54 20 **Q.** Is the --

15:42:55 21 **A.** Yes, this was all one comprehensive
15:42:59 22 document that was provided to President Hurley.

15:43:03 23 **Q.** Got it.

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2 ss:

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5 I DO HEREBY CERTIFY as a Notary Public in and
6 for the State of New York, that I did attend and
7 report the foregoing deposition, which was taken
8 down by me in a verbatim manner by means of machine
9 shorthand. Further, that the deposition was then
10 reduced to writing in my presence and under my
11 direction. That the deposition was taken to be
12 used in the foregoing entitled action. That the
13 said deponent, before examination, was duly sworn
14 to testify to the truth, the whole truth and
15 nothing but the truth, relative to said action.

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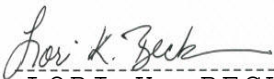
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